

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No. CR03-0069RSL-JPD  
v. )  
JAYDEANE F. ELL, ) SUMMARY REPORT OF U.S.  
Defendant. ) MAGISTRATE JUDGE AS TO  
 ) ALLEGED VIOLATIONS  
 ) OF SUPERVISED RELEASE  
 )

An initial appearance and hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on April 10, 2006. The United States was represented by Assistant United States Attorney Vince Lombardi, and the defendant by Mr. Peter Avenia. The proceedings were recorded on cassette tape.

The defendant had been charged and convicted of Robbery in violation of 18 U.S.C. §§ 2111 and 1153. On or about May 24, 2002, defendant was sentenced by the Honorable Robert S. Lasnik to forty-one (41) months imprisonment to be followed by three (3) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed, but not limited to, were substance-abuse and mental-health treatment participation, consenting to search, shall not be self-employed or employed by friends, relatives, associates, or persons previously known to the defendant without approval by the United States Probation

REPORT AND RECOMMENDATION OF  
U.S. MAGISTRATE JUDGE AS TO ALLEGED  
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01 Office, disclosure, and restitution.

02 In a Petition for Warrant or Summons dated April 7, 2006, and a Violation Report and  
03 Request For Warrant dated April 7, 2004, U.S. Probation Officer Steven R. Gregoryk asserted  
04 the following violations by defendant of the conditions of his supervised release:

05 (1) Using marijuana on or before March 17, 2006, and March 20, 2006, in violation  
06 of standard condition No. 7.

07 (2) Failing to report to the probation office on April 3, 2006, and April 6, 2006, in  
08 violation of standard condition No. 2.

09 (3) Failing to report for drug testing on March 30, 2006, and April 4, 2006, in  
10 violation of the condition of supervision which requires the defendant to submit to substance-  
11 abuse testing in order to determine if he has reverted to the use of drugs.

12 The defendant was advised of the allegations and his rights. He has admitted to the  
13 allegations, although stated that the use of controlled substances on violation 1 occurred prior  
14 to release, and waived any rights to an evidentiary hearing as to whether they occurred.

15 I therefore recommend that the Court find the defendant to have violated the terms and  
16 conditions of his supervised release as to violations 1, 2, and 3, and that the Court conduct a  
17 hearing limited to disposition. A disposition hearing on these violations will be set before the  
18 Honorable Robert S. Lasnik at a date to be determined.

19 Pending a final determination by the Court, the defendant has been detained.

20 DATED this 10th day of April, 2006.

  
21 JAMES P. DONOHUE  
22 United States Magistrate Judge

23 cc: District Judge: Honorable Robert S. Lasnik  
24 AUSA: Mr. Lawrence Lincoln  
25 Defendant's attorney: Mr. Peter Avenia  
26 Probation officer: Mr. Steven R. Gregoryk